

**IN THE CLAIMS:**

Please amend the claims as follows:

1. (Currently Amended) A digital incident recording apparatus comprising:

means for continuously capturing an actual visual scene within the vicinity of said apparatus wherein said means for capturing said visual scene is achieved by an image capturing unit;

means for buffering up a plurality of captured visual scenes having a finite number of storage elements over-written repeatedly using a first-in-first-out mechanism such that a finite storage can be used to hold a plurality of said visual scenes continuously;

*H2*  
*Amf*  
means a persistent storage for preserving buffered scenes coupled to said means for buffering to receive directly therefrom and persistently store said plurality of visual scenes long enough to be stored and viewed after an incident has occurred; and

means for manually triggering a preservation of captured scenes, wherein said means for manually triggering is a manual activation action, said manual activation action including taking a sequence of continuous images of said visual scene, wherein said preservation of said buffered scenes is achieved by prohibiting older said buffered scenes from being erased and replaced by new captured scenes after a preprogrammed elapsed time period such that said plurality of said visual scenes are comprised of a number of said captured scenes captured a number of seconds before and after said manual activation action; and

housing means displaceably mounted to an installation base of a transportation system for protecting said buffered scenes from being destroyed by an environmental factor and configured to receive said means for continuously capturing, means for buffering and said persistent storage, said housing means being configured so that said digital incident recording apparatus is used for taking at least one manually made snap shot of a visual scene upon removing said housing means from said installation base.

2. (Cancelled)

3. (Previously Cancelled)

4. (Currently Amended) A digital incident recording apparatus as recited in claim 1, wherein said ~~means for persistent storage~~ preserving buffered scenes ~~comprises a persistent storage unit chosen~~ is selected from the group consisting of a persistent memory device where contents are directly written into, ~~a persistent memory device where contents are transferred from a volatile memory device where images were first written into, a volatile memory device having a continued power supply so as to retain its contents,~~ and a non-memory persistent storage media.

5. (Cancelled)

6. (Cancelled)

7. (Previously Cancelled)

8. (Currently Amended) A digital incident recording apparatus as recited in claim 1, wherein said means for continuously capturing said actual visual scene has separate means for buffering up said captured scenes and said persistent storage means for preserving said buffered scenes.

9. (Previously Presented) A digital accident recording apparatus as recited in claim 1, wherein said image capturing unit is used to capture scenes of a forward view as well as a backward view to include activities of an operator who operates a transportation system which is equipped with said digital accident recording apparatus.

10. (Previously Cancelled)

11. (Cancelled)

12. (Previously Presented) A digital incident recording apparatus as recited in claim 1, further comprising:

means for capturing sound waves in synchronization with said captured visual scene;

means for buffering said captured sound waves using said first-in-first-out mechanism in the same manner as for said visual scene; and

means for preserving said buffered sound waves in the same manner as for said visual scene.

13. (Currently Amended) A digital incident recording apparatus as recited in claim 1 ~~11~~, further comprising:

*to be added*  
~~an installation means which allows said apparatus to be taken out of an installation base and to be used as a recording apparatus outside of a transportation system, wherein said installation means is selected from the group consisting of for attaching said apparatus onto~~ installation base to a surface of said transportation system and inserting said apparatus into a housing unit large enough to hold said apparatus, said digital recording apparatus being configured to be used inside the transportation system and outside thereof.

14. (Cancelled)

15. (Currently Amended) A digital incident recording apparatus as recited in claim 1, wherein said means for buffering and said persistent storage means for preserving are coordinated via a control unit chosen from the group consisting of a micro-processor, a micro-controller, a DSP, a PAL, an EPLD, a FPGA and a programmable logic circuit.

16. (Cancelled)

17. (Previously Cancelled)

18. (Cancelled)

19. (Previously Cancelled)

20. (Cancelled)

21. (Previously Cancelled)

22. (Previously Presented) A digital incident recording apparatus as recited in claim 1, wherein said manual activation is a human induced triggering event.

23. (Previously Presented) A digital incident recording apparatus as recited in claim 1, further comprising means for automatically triggering a preservation of said buffered scenes, wherein said means for automatically triggering is a mechanism chosen from the group consisting of software mechanisms, firmware mechanisms, and hardware mechanisms, wherein said firmware or software mechanisms comprise programmable logic instructions that fire off a signal in response to an external event, wherein said hardware mechanisms comprise at least one sensor capable of detecting a physical event, wherein said physical event is at least one of a physical impact, sudden change in momentum, shock wave, and sudden change in sound wave amplitude, wherein said automatic preservation of said buffered scenes is achieved by prohibiting older said buffered scenes from being erased and replaced by new captured scenes after a preprogrammed elapsed time period such that said plurality of said visual scenes are comprised of a number of said captured scenes captured a number of seconds before and after said physical event.

24. (Cancelled)

25. (Cancelled)

26. (New) A method for digitally recording an incident, comprising the steps of:  
continuously capturing a plurality of actual visual scenes within a field of view of  
a recording apparatus removably mounted in a transportation system by :

buffering the plurality of captured visual scenes, thereby repeatedly over-writing the buffered plurality of captured visual scenes by using a first-in-first-out mechanism;

detecting an incident by a sub-step selected from the group consisting of:

automatically generating a signal indicative of the incident while having the recording apparatus attached to a base, the base being fixed to the transportation system,

manually generating the signal indicative of the incident while having the recording apparatus attached to the base, and

manually generating the signal indicative of the incident while an operator is manually operating the recording apparatus upon removing thereof from the base; and

preventing the plurality of buffered visual scenes occurred before and after the signal during a predetermined time period from being erased and replaced and permanently preserving at least one snap-shot taken by the operator in response to the signal.